

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

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THIS DOCUMENT RELATES TO:  
State of California, *ex rel.* Ven-A-Care v.  
Abbott Laboratories, *et al.*  
CASE #: 1:03-cv-11226-PBS

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) MDL No. 1456  
) Master File No. 01-12257-PBS  
)  
) (Original Central District of California  
) No. 03-CV-2238)  
)  
) Judge Patti B. Saris  
)  
) [PROPOSED] ORDER GRANTING  
) MOTION FOR LEAVE TO FILE  
) "STATE OF CALIFORNIA'S  
ELECTION TO DECLINE AS TO  
CERTAIN DEFENDANTS AND  
ALLEGATIONS" UNDER SEAL

Having considered the State of California's motion for leave to file its document, "State of California's Election to Decline as to Certain Defendants and Allegations", under seal,

IT IS HEREBY ORDERED that the State of California is granted leave to file its "State of California's Election to Decline as to Certain Defendants and Allegations" under seal.

IT IS HEREBY FURTHER ORDERED that this matter may remain under seal as to those defendants identified in the "State of California's Election to Decline as to Certain Defendants and Allegations" as being defendants with which the State of California is in the process of finalizing a settlement agreement. The original Complaint, First Amended Complaint, and all other pleadings, documents, and filings in the Court's file shall remain under seal as to those defendants until and including November 23, 2005.

Dated: \_\_\_\_\_

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JUDGE PATTI B. SARIS  
UNITED STATES DISTRICT COURT